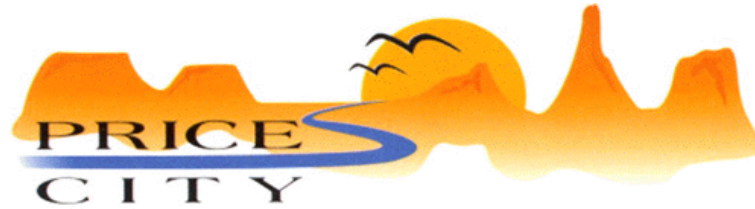


Chairman  
ROBERT OLIVER

City Attorney  
NICK SAMPINOS

Community Director  
NICK TATTON

City Recorder  
SHERRIE GORDON



**Commission**

JUDY BEACCO  
NANCY BENTLEY  
DALE EVANS  
ROBERT OLIVER  
RICHARD ROOT  
FRANKIE SACCO  
JAN YOUNG  
ERROLL HOLT, ALT.  
TODD THORNE, ALT.

**PRICE CITY PLANNING COMMISSION**

phone: (435) 636-3184 · Fax: (435) 637-2905

185 E. Main - P.O. Box 893

Price, Utah 84501

**PLANNING AND ZONING AGENDA**

**09/12/2016**

**THE PRICE CITY PLANNING AND ZONING COMMISSION WILL HOLD THEIR REGULARLY SCHEDULED MEETING ON THE ABOVE DATE AT 6:00 PM IN THE PRICE CITY HALL COUNCIL CHAMBERS (ROOM 104). THE PLANNING AND ZONING COMMISSION CHAIRMAN RESERVES THE RIGHT TO MODIFY THE SEQUENCE OF AGENDA ITEMS IN ORDER TO FACILITATE SPECIAL NEEDS.**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. MINUTES of August 22, 2016 -
4. PUBLIC COMMENT ON AGENDA ITEMS
5. CONDITIONAL USE PERMIT
  - a. SODA DRIVE UP BUSINESS - Consideration and possible approval of a soda drive up business called Sodalicious, located at 97 E 100 N within the Commercial 1 zoning district, Chad Carlson.
6. UNFINISHED BUSINESS

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should contact, City Recorder, Sherrie Gordon at 185 E. Main, Price, Utah - Telephone 636-3183 at least 24 hours prior to the meeting. This meeting may be held electronically via telephone to permit one or more of the council members to participate.

**PRICE CITY PLANNING AND ZONING MEETING  
MINUTES OF AUGUST 22, 2016**

**PRESENT:**

Commissioners:

Richard Root	Nick Tatton, Community Director
Jan Young	Sherrie Gordon, City Recorder
Todd Thorne	
Robert Oliver	
Dale Evans	
Judy Beacco	

**EXCUSED:** Commissioner Bentley, Commissioner Sacco and Commissioner Holt-Alternate

**OTHERS PRESENT:** Robert Taylor

1. Chairman Oliver called the meeting to order at 6:00 P.M. He led the Pledge of Allegiance.
2. Roll was called with the above Commissioners and staff present.
3. MINUTES OF August 8, 2016 –  
**MOTION.** Commissioner Thorne moved to approve the minutes of August 8, 2016 as presented. Motion seconded by Commissioner Young and carried.
4. PUBLIC COMMENT ON AGENDA ITEMS – No public comment was received on any of the items.
5. CONDITIONAL USE PERMIT
  - a. PRIVATE UTILITY POLE PLACEMENTS - Consideration and possible approval for placement of private utility poles within the public right-of-way at: (1) 100 N 600 E within the Commercial 1 zoning district; (2) 400 N between 100 E and Carbon Avenue within the Public Facilities zoning district, and; (3) Intersection of Main Street and Carbonville Road within the Commercial 1 zoning district, Mobilitie, Robert Taylor.

Robert Taylor submitted three (3) Conditional Use Permits (CUP) and 3 sets of site plans submitted by a company called Mobilitie. Mobilitie is in the wireless communications business. The sites are: (1) 100 N 600 E; (2) 400 N between 100 E and Carbon Avenue; and, (3) Intersection of Main Street at Carbonville Road. Site 1 and Site 3 are in the Commercial 1 (C-1) zoning district and Site 2 is in the Public Facilities (PF) zoning district and will utilize zoning considerations from the adjoining residential zoning districts for approval.

The Planning Commission held a detailed discussion regarding the placements, operation, maintenance, etc. with the applicant to ensure complete understanding of the conditions of approval by both the City and the applicant. Nick Tatton reported that as part of the internal review process the applications have been reviewed by the Price City Street Department, Public Works Department, Engineering Department and Electric Department as well as the Planning Department and Legal. Price City also engaged a private consultant to review and opine on the application on behalf of the City and the recommended conditions of approval. Mr. Tatton informed the Planning Commission that they must also specifically acknowledge and approve the pole heights requested at the respective locations.

Price City has also verified Mobilitie’s registration with the State of Nevada. At the conclusion of the discussion Chairman Oliver read loud the following conditions of approval:

- Contact, discussion and coordination of final utility pole placement with both the Price City Public Works Department and neighboring/adjoining private property owners at each location finding that coordinated installation of utility infrastructure and equipment mitigate misunderstandings and serve to promote future development within the community.
  - Comments received to be considered and included in final pole placement locations at each respective location.
  - Coordinate metered connections to the Price City Electric System with the Price City Electric Department.
  - Traffic control during installation to be coordinated with the Price City Public Works Department.
  - Locations for any additional fiber line connections to be reviewed and approved by Price City prior to connections.
- Provision by Mobilitie to Price City of updated and amended pole installation plans that include information on wind loading and foundation stability signed and stamped by a structural engineer

finding that properly prepared and engineered plans protect the health, safety and welfare of the community.

- All poles to be placed to be made of steel, not wood.
- Approval of installation of pole in location 1 not to exceed 120 feet in height, pole in location 2 not to exceed 35 feet in height, pole in location 3 not to exceed 46 feet in height finding that installations consistent with submitted documents mitigates misunderstandings.
- Specific notification of the canal company and provision of pole installation information for location 2 finding that the location is adjacent to the canal and State law requires notification of the canal company for development occurring adjacent to the canal.
  - Incorporation of comments received by canal company into final location of pole, foundation design, etc.
- Completion and full execution and approval of a franchise agreement between Mobilitie and Price City prior to installation of any poles finding that properly franchised utility providers protect the health, safety and welfare of the community.
- Procurement of Price City Building Permits based on amended and engineered stamped installation drawings received finding that properly permitted and inspected utility infrastructure protects the health safety and welfare of the community.
  - Installation restricted until updated, stamped and signed plans are submitted and building permits are issued.
- Installation of signage on each pole indicating the ownership of the pole and contact information for emergency or service and maintenance matters finding that properly identified utility infrastructure mitigates misunderstandings and promotes increased service to the community.
- Procurement of a Price City Business License for the lawful conduct of business within Price City finding that all businesses are required to be licensed for local operation by Price City.
- No conditions at the property or structure that violation the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.

ACCPETANCE: The applicant acknowledged that he is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

**MOTION**. Commissioner Root moved to recommend the Price City Council provide final approval for placement of private utility poles within the public right-of-way at: (1) 100 N 600 E within the Commercial 1 zoning district; (2) 400 N between 100 E and Carbon Avenue within the Public Facilities zoning district, and; (3) Intersection of Main Street and Carbonville Road within the Commercial 1 zoning district. Motion seconded by Commissioner Evans and carried.

6. UNFINISHED BUSINESS – No unfinished business discussed.

Meeting adjourned at 6:41 p.m. pursuant to a motion by Commissioner Evans. Motion seconded by Commissioner Beacco and carried.

APPROVED: \_\_\_\_\_  
Chairman Robert Oliver

ATTEST: \_\_\_\_\_  
City Recorder, Sherrie Gordon


**Mayor**  
JOE L PICCOLO  
**City Attorney**  
NICK SAMPINOS  
**Community Director**  
NICK TATTON  
**City Recorder**  
SHERRIE GORDON  
**Public Works Director**  
GARY SONNTAG



185 EAST MAIN • P.O. BOX 893 • PRICE, UT 84501  
PHONE (435) 637-5010 • FAX (435) 637-2905  
www.pricecityutah.com

## Price City Planning & Zoning Commission

**Planning & Zoning Commissioners**  
ROBERT OLIVER, CHAIR  
FRANKIE SACCO, VICE CHAIR  
JUDY BEACCO  
DALE EVANS  
NANCY BENTLEY  
RICHARD ROOT  
JAN YOUNG  
ALTERNATE: ERROLL HOLT

**DATE:** AUGUST 23, 2016  
**TO:** PRICE CITY PLANNING & ZONING COMMISSION  
**FROM:** NICK TATTON, PRICE CITY   
**RE:** CUP - SODA BUSINESS

Please find attached a Conditional Use Permit (CUP) application submitted by Chad Carlson, 100 North, LLC., for a business called Sodalicious to be located at 97 E 100 N within the Commercial 1 (C-1) zoning district. The general evaluation criteria for the land use is in Section 11.1 of the Price City Land Use Management and Development Code (Code), the specific land use evaluation criteria/land use checklist is in Section 11.1.m of the Code. The applicable land uses are: (1) Candy, nuts, confectionary, Code Section 11.3.4.4, a permitted use in the C-1 zoning district; (2) Drive In Restaurants, Code Section 11.3.4.12, a conditional use in the C-1 zoning district; and, (3) Eating Places-Food Consumed on Premises, Code Section 11.3.4.14, a conditional use in the C-1 zoning district.

It is the recommendation of staff to discuss the land use and development schedule with the application in sufficient detail to recommend final approval of the land use to the Price City Council. Recommended items to discuss with the applicant include: business signage and way-finding signage; parking lot re-orientation and restriping, and restrictions on prepared food (no hood or grease trap).

### **RECOMMENDED MOTION(S):**

1. Move to recommend the Price City Council provides final approval for the land use of soda restaurant based on the Conditional Use Permit (CUP) application submitted by Chad Carlson, 100 North, LLC., for a business called Sodalicious to be located at 97 E 100 N within the Commercial 1 (C-1) zoning district, based upon the general evaluation criteria for the land use in Section 11.1 of the Price City Land Use Management and Development Code (Code), the specific land use evaluation criteria/land use checklist in Section 11.1.m of the Code, the land uses of: (1) Candy, nuts, confectionary, Code Section 11.3.4.4, a permitted use in the C-1 zoning district; (2) Drive In Restaurants, Code Section 11.3.4.12, a conditional use in the C-1 zoning district; and, (3) Eating Places-Food Consumed on Premises, Code Section 11.3.4.14, a conditional use in the C-1 zoning district, and subject to the following conditions of approval:

- a. Removal of not more than four (4) parking spaces from the overall site to accommodate the drive-up window finding that changes in the business mix at the overall site have reduced the parking need by four (4) parking spaces.
    - i. Restriping of parking lot to clearly identify drive-up lane and all parking required.
  - b. Placement of reflective indicators on utility pole adjacent to identified business ingress point to mitigate potential vehicle/pole collisions finding that the ingress is narrow and the utility pole is very close to the ingress.
    - i. Coordinate the enclosure or other treatment of the gap in the gutter overshoot immediately to the west of the ingress with the Price City Public Works Department to prevent accident or injury.
  - c. Submission of business and way-finding signage to the Price City Planning Department prior to installation for consideration, review and potential approval finding that properly reviewed and approved signage increased commercial activity in the community.
  - d. No food prep on-site that requires cooking or grease finding that no commercial kitchen equipment is in place including a grease/smoke hood and no waste water grease trap or sampling manhole is present to protect the waste water system.
  - e. Garbage dumpster to be maintained in an enclosed area and serviced at a frequency to prevent nuisance odors in the area finding that prevention of accumulations of garbage and odors is in the best interest of the community.
  - f. Maintain or increase the existing minimum five percent (5%) landscaping at the overall site finding that properly landscaped commercial businesses and corridors improves the community aesthetic and is consistent with the goals in the Price City General Plan.
  - g. Completion and submission of a Price River Water Improvement District (PRWID) waste water survey finding that properly understood waste water discharges mitigate negative impacts to the waste water collection system.
  - h. All renovations and construction work at the business location to be completed under the auspices of a Price City Building Permit and building inspection finding that properly permitted and inspected building alterations protect the health, safety and welfare of the community.
  - i. Procurement of a Price City Business License prior to business operation finding that properly licensed business increase the commercial activity in the community.
  - j. No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.
2. Move to acknowledge that the applicant, applicant's agents and representatives, are aware of the conditions of approval, understand the conditions of approval and intend to comply with the conditions of approval.

Fee: \_\_\_\_\_



## CONDITIONAL USE PERMIT APPLICATION

Send all completed and properly signed forms (including attachments as necessary) along with applicable fees to: Price City Community Development Department, P.O. Box 893, 185 East Main, Price, UT 84501. For questions call (435) 636-3184.

Please check one.

- ☒ **New Business** (Complete boxes 1 through 13 on page 1, and all subsequent pages)
- ☐ **New Construction/Development** (Check all applicable boxes below and complete entire application)
- Plan Phase:
- ☐ Concept
- ☐ Preliminary
- ☐ Final

PLEASE TYPE OR PRINT LEGIBLY.

Applicant Information			
1. Applicant's Name: <u>100 NORTH, LLC Chad Carlson</u>		2. Title: <u>owner</u>	
3. Applicant's Mailing Address: <u>PO Box 807 SPRINGVILLE, UT 84663</u>		4. Suite/Apt. No.:	
5. City: <u>Springville</u>	6. State: <u>UT</u>	7. Zip Code: <u>84663</u>	
8. County:		9. Telephone: <u>(435) 690-1131</u>	
Project Information			
10. Name of Project (Business): <u>SODALICIOUS</u>			
11. Address of Proposed Project: <u>97 E. 100 No. PRICE</u>			
12. Zone District (see attached zoning map):			
Nature of Proposed Work (Check all applicable items in boxes 13 through 16)			
13. <input checked="" type="checkbox"/> Sign <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential	14. <input type="checkbox"/> Zone Change <input type="checkbox"/> Storm Drainage <input type="checkbox"/> Street Work <input type="checkbox"/> Road Dedication <input type="checkbox"/> Water <input type="checkbox"/> Sewer	15. <input type="checkbox"/> Excavation <input type="checkbox"/> Fill Work <input type="checkbox"/> Building <input type="checkbox"/> Subdivision <input type="checkbox"/> Apartments <input type="checkbox"/> Electrical	16. <input type="checkbox"/> Industrial <input type="checkbox"/> Annexation <input type="checkbox"/> Flood Plain <input type="checkbox"/> Recreation <input type="checkbox"/> Street Opening <input type="checkbox"/> Demolition
17. Quarter Section(s):	18. Section(s):	19. Township(s):	20. Range(s) & Base:
21. Estimated Cost of Project: a) Site Work \$ _____ b) Buildings \$ _____ c) Other \$ <u>10,000</u> Total \$ _____		22. Electrical Load Sheet: (Attach preliminary and final to application)	
		23. Project Plans: <input type="checkbox"/> Plans Included <input type="checkbox"/> Attachments (Number) _____	



24. Brief Description of Project:

SODALICIOUS SELLS FLAVORED SODA & COOKIES  
WE WILL PUT IN A DRIVE UP WINDOW. PLUMBING &  
ELECTRICAL IS ALREADY IN PLACE MOSTLY BECAUSE IT  
WAS A FORMER LAUNDRY MAT

25. Justification (Explain why this project is needed):

SODALICIOUS.COM

FOR PROFIT

26. Names and Addresses of Adjoining Property Owners, Lessees, Etc.:

NAME	ADDRESS (City, ST, Zip)	TELEPHONE
1. Chad Carlson	PO Box 807 SPRINGDALE, UT 84663	(435) 650 1131
2. AJS Holdings		( )
3.		( )

27. Estimated Starting Date:

9 / 1 / 16

28. Estimated Completion Date:

10 / 15 / 16

29. Has P.R.W.I.D. Sewer Survey  
Been Submitted? ☐ Yes ☒ No

Signature of Property Owner

Date

Chad Carlson

OWNER

Please Print Name

Title

Office Use Only

Recommendation of Planning and Zoning Administrator (Community Director):

☐ Approve

☐ Decline

Comments:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Requires:

☐ Building Permit

☐ Conditional Use Permit

☐ Code Amendment

☐ Board of Adjustments Variance

☐ Flood Plain Development Permit

☐ Other: \_\_\_\_\_

## SITE PLAN

Please provide a drawing of your proposed site in the space below. Include building floor plan, profiles, cross-sections, dimensions, setbacks, and signs. Also indicate exits, restrooms, and fire extinguisher placement. Use an attached sheet of paper, if necessary.

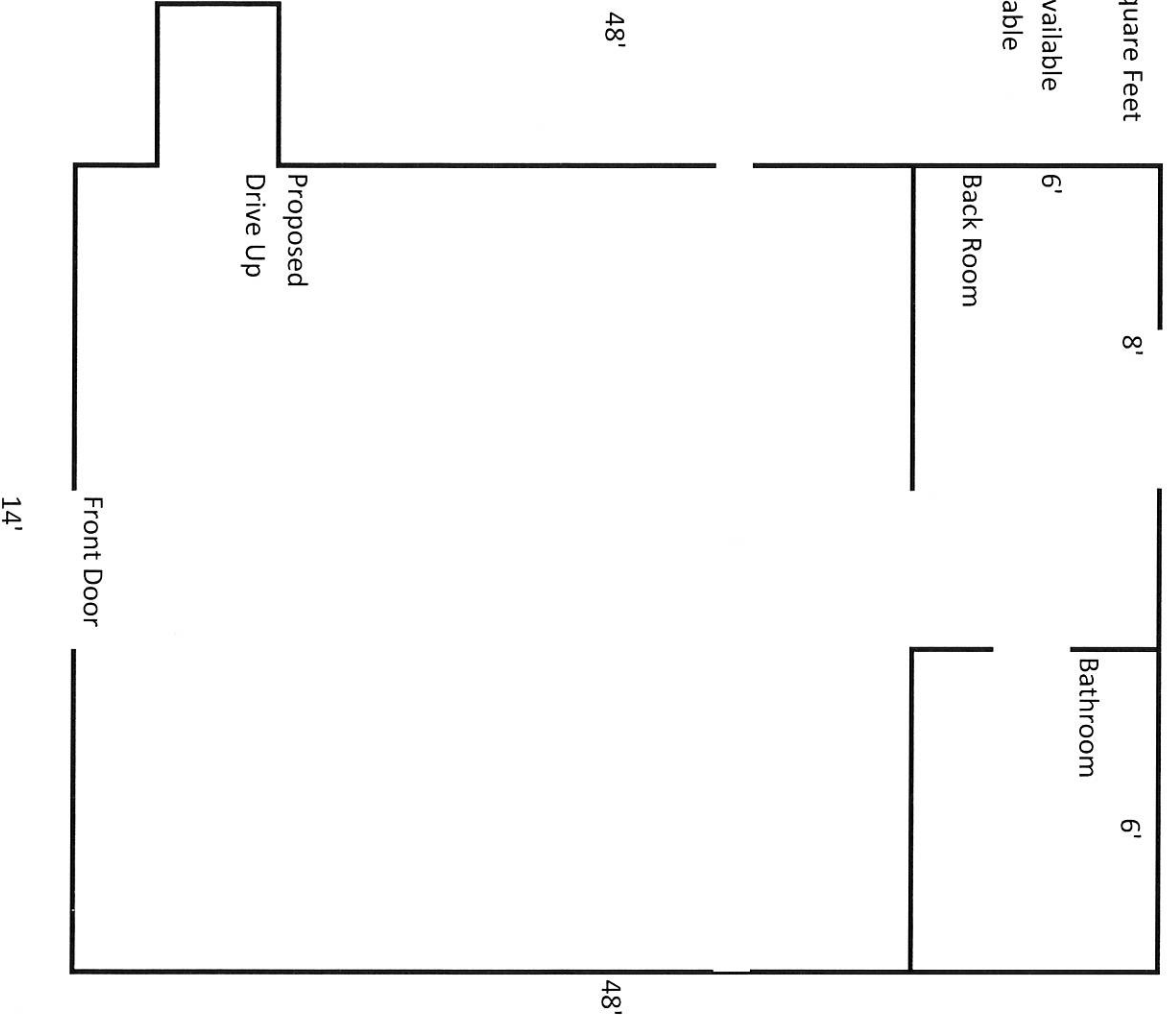
ATTACHED



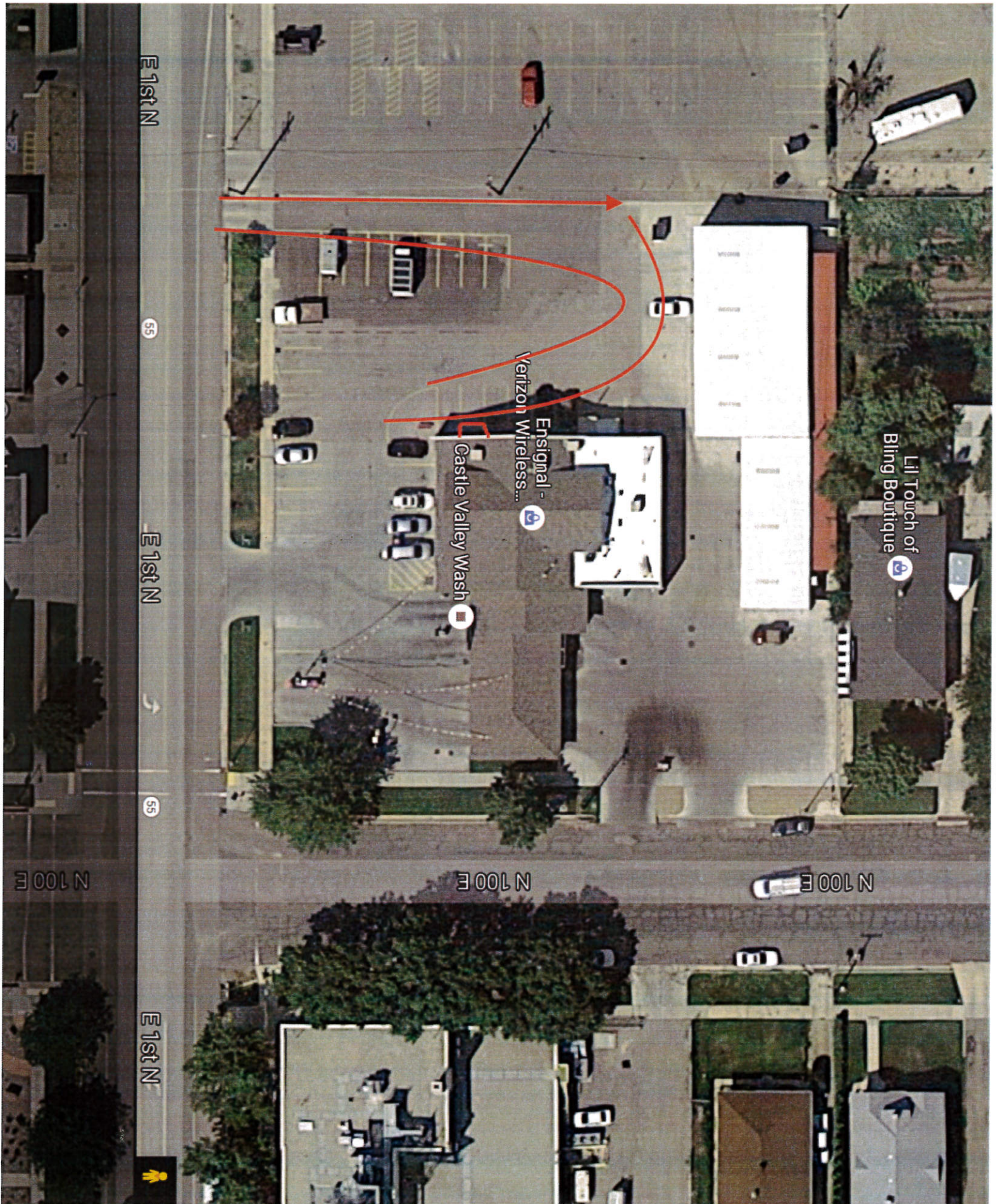
Out to Shop (available)

**756** Total Square Feet

Back Shop Available  
Garage available







Lil' Touch of Bling Boutique

Ensignal - Verizon Wireless...

Castle Valley Wash

E 1st N

55

E 1st N

55

N 100 E

N 100 E

N 100 E

E 1st N







**ACKNOWLEDGEMENT AGREEMENT FOR CONDITIONS OF LAND USE AS REQUIRED BY THE PRICE CITY PLANNING AND ZONING DEPARTMENT AND AS AGREED TO BY THE LAND USE APPLICANT FOR PLACEMENT OF A SODA BUSINESS WITH DRIVE UP WINDOW CALLED SODALICIOUS AT 97 EAST 100 NORTH WITHIN THE COMMERCIAL 1 ZONING DISTRICT.**

**Purpose:** the purpose of this agreement is to establish the terms and conditions of an agreement between Price City and **CHAD CARLSON, SODALICIOUS**, regarding the conditions of land use associated with Price City Land Use Management and Development Code (Code) as it is associated with

**Purpose:** the purpose of this agreement is to establish the terms and conditions of an agreement between Price City and **CHAD CARLSON, SODALICIOUS**.

**Parties:** this agreement is made by and between Price City (City), 185 East Main Street, Price, Utah 84501 and **CHAD CARLSON**, (Applicant), for the property located at: **97 EAST 100 NORTH**.

**Term:** the term of this agreement commences on **SEPTEMBER 12<sup>TH</sup>, 2016** and will perpetually run with the land unless terminated based on a change of use or other performance or compliance factors as outlined in the Price City Land Use Management and Development Code (Code). This contract is further subject to compliance with all Code requirements and other state, federal or local permitting.

The parties identified above hereby agree to the following:

**Applicant Shall:**

- Remove not more than four (4) parking spaces from the overall site to accommodate the drive-up window finding that changes in the business mix at the overall site have reduced the parking need by four (4) parking spaces.
  - Restriping of parking lot to clearly identify drive-up lane and all parking required.
- Placement of reflective indicators on utility pole adjacent to identified business ingress point to mitigate potential vehicle/pole collisions finding that the ingress is narrow and the utility pole is very close to the ingress.
  - Coordinate the enclosure or other treatment of the gap immediately to the west of the ingress in the gutter overshot with the Price City Public Works Department to prevent accident or injury.
- Submission of business and way-finding signage to the Price City Planning Department prior to installation for potential approval finding that properly reviewed and approved signage increased commercial activity in the community.
- No food prep on-site that requires cooking or grease finding that no commercial kitchen equipment is in place including a grease/smoke hood and no waste water grease trap or sampling manhole is present to protect the waste water system.
- Garbage dumpster to be maintained in an enclosed area and serviced at a frequency to prevent nuisance odors in the area finding that prevention of accumulations of garbage and odors is in the best interest of the community.
- Maintain or increase the existing minimum five percent (5%) landscaping at the overall site finding that properly landscaped commercial businesses and corridors improves the community aesthetic and is consistent with the goals in the Price City General Plan.
- Complete and submit a Price River Water Improvement District (PRWID) waste water survey finding that properly understood waste water discharges mitigate negative impacts to the waste water collection system.
- All renovations and construction work at the business location to be completed under the auspices of a Price City Building Permit and building inspection finding that properly permitted and inspected building alterations protect the health, safety and welfare of the community.
- Procurement of a Price City Business License prior to business operation finding that properly licensed business increase the commercial activity in the community.
- No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.

**Price City Shall:**

- Authorize the land use contemplated herein and under the terms and conditions set forth as indicated in the Code.

**SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.**

Price City

Applicant:

By Robert Oliver, Chair

**CHAD CARLSON**

ATTEST:

Sherrie Gordon, City Recorder

# CONDITIONAL USE PERMIT AMENDMENT

THIS PERMIT IS HEREBY APPROVED FOR:

**A LAND USE OF: A DRIVE-UP SODA  
BUSINESS LOCATED AT 97 EAST 100  
NORTH, WITHIN THE COMMERCIAL 1 (C-  
1) ZONING DISTRICT**

CONSISTENT WITH THE TERMS, CONDITIONS AND REQUIREMENTS SET FORTH  
BY THE PRICE CITY PLANNING AND ZONING COMMISSION, THE PRICE CITY  
COUNCIL AND THE PRICE CITY LAND USE MANAGEMENT AND DEVELOPMENT  
CODE.



SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_